UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA, EASTERN DIVISION

RAFAEL BRAVO FLORES, et al.,

Plaintiffs,

ORDER TO SHOW CAUSE

vs.

NATURE TECH LANDSCAPING,
et al.,

Defendants.

On November 27, 2010, this court entered its Order Approving Class Settlement (ECF No. 124). The Order provided, in accordance with the terms of the settlement agreement, that the settlement proceeds would be paid out in three distributions. (ECF No. 124, \P 3). The third payment was to occur within six months of the court's November 27, 2010 Order. Therefore, the settlement proceeds should have been distributed by May 27, 2011. The Order further provided that "the parties shall immediately notify the Court when all settlement proceeds have been paid," and that the action would thereafter be dismissed. (ECF No. 124, \P 6).

As of August 2011, the parties had not so notified the court, so the court entered an Order to File Status Report or Stipulation for Dismissal (ECF No. 125). The parties filed a Status Report (ECF No. 126) which indicated that due to problems with Defendant's financial condition the payment schedule had been extended. The parties indicated that Defendant still owed \$57,008.86 to class counsel for attorney fees. That remaining balance was to be paid in four installments, the final payment due on

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December 31, 2011. The parties were then to file a joint stipulation for dismissal with prejudice within 30 days of the final payment. (ECF No. 126, p. 3). Thus such stipulation should have been filed by January 30, 2012. The settlement in this matter was approved approximately 15 months ago, and the court does not intend to allow this file to remain open indefinitely.

IT IS HEREBY ORDERED:

- 1. On or before **March 15, 2012**, the parties shall show cause why this action should not be dismissed with prejudice, or alternatively judgment entered in favor of Defendant's for any unpaid sums under the settlement agreement plus interest from the date such sums were due under the settlement agreement.
- 2. If the parties have already complied with the terms of the settlement, and have neglected to inform the court, the parties may filed a stipulated motion to dismiss. Such motion to dismiss shall be filed **no later than March 15, 2012**.

IT IS SO ORDERED. The Clerk of the court is directed to enter this Order and furnish copies to counsel.

Dated February 28, 2012.

s/ Justin L. Quackenbush JUSTIN L. QUACKENBUSH SENIOR UNITED STATES DISTRICT JUDGE